

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)**

Docket No.
MBI-1136DIV1

In Re Application Of: McDonough

MAY 05 2006

Application No. TRADEMARK 10718,324	Filing Date 11/20/2003	Examiner Grosso, Harry A.	Customer No. 21,302	Group Art Unit 3727	Confirmation No. 1057
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INVENTION: CHILD'S DRINKING CUP WITH ELASTOMERIC OVERMOLDING

COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of

11/02/2005 _____ in the above-identified application.
Date

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated 11/02/2005 finally rejecting Claim(s) 1-36

Applicant(s) hereby request(s) an extension of time of (check desired time period):

One month Two months Three months Four months Five months

from: 2/2/2006 *Date* until: 5/2/2006 *Date*

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

05/08/2006 SFE1 EKE1 00000024 10718324 Fee for Notice of Appeal: \$250.00

01 FC-2401 250.00 OP Fee for Extension of Time: \$510.00
02 FC-2253 510.00 OP

TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: **\$760.00**

The fee for the Notice of Appeal and extension of time is to be paid as follows:

A check in the amount of **\$760.00** for the Notice of Appeal and extension of time is enclosed.

Please charge Deposit Account No. _____ in the amount of _____

The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **50-0462**

Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 CFR 1.17.

If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-0462**

Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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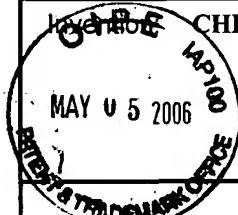
COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)

Docket No.
MBI-1136DIV1

In Re Application Of:

McDonough

Application No. 10/718,324	Filing Date 11/20/2003	Examiner Grosso, Harry A.	Customer No. 21,302	Group Art Unit 3727	Confirmation No. 1057
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CHILD'S DRINKING CUP WITH ELASTOMERIC OVERMOLDING

TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

Signature

Dated: May 2, 2006

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Certificate of Transmission by Facsimile*

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

May 2, 2006

(Date)

Signature of Person Mailing Correspondence

Rebekah L. Mitchell

Typed or Printed Name of Person Mailing Correspondence

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CC: